



**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to establish the California  
Institute for Climate Solutions.

**FILED**  
10-30-07  
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Rulemaking 07-09-008  
(Filed September 20, 2007)

**NOTICE OF INTENT TO CLAIM COMPENSATION OF  
THE GREENLINING INSTITUTE**

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October 30, 2007

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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Rulemaking 07-09-008  
(Filed September 20, 2007)

## NOTICE OF INTENT TO CLAIM COMPENSATION OF THE GREENLINING INSTITUTE

### I. INTRODUCTION

Pursuant to Rules 76.71 *et seq.* of the Rules of Practice and Procedure of the California Public Utilities Commission (Commission) and Sections 1801 *et seq.* of the California Public Utilities Code (PU Code), the Greenlining Institute (Greenlining) hereby submits this Notice of Intent to Claim Intervenor Compensation (NOI) in this rulemaking considering establishing California Institute for Climate Solutions, pursuant to Public Utilities Code Section 1804(a).

### II. GREENLINING REPRESENTS CUSTOMER INTERESTS WHICH ARE OTHERWISE UNREPRESENTED AND WILL DEVELOP ISSUES AND TESTIMONY IN AREAS NOT ADDRESSED BY THE OTHER PARTIES HEREIN

Greenlining and its individual coalition members<sup>1</sup> represent the interests of those who have traditionally been marginalized or excluded from the public utility process: minority, low-income, inner city, and other vulnerable and underserved communities.

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<sup>1</sup> The Greenlining Coalition includes but is not limited to the following groups: Allen Temple Baptist Church; American GI Forum; Black Business Association; Black Economic Council; California Hispanic Chambers of Commerce; California Journal for Filipino Americans; California Rural Legal Assistance; CHARO Community Development Corporation; Chicana/Latina Foundation; Chicano Federation, San Diego; Council of Asian American Business Associations California; Filipino-American Chamber of Commerce, Los Angeles; Filipino-American Political Association; First AME Church, Los Angeles; Hermandad Mexicana Nacional; Hmong American Political Association; KHEIR; Latino Issues Forum; Mexican-American Grocers Association; Mexican-American Political Association; Mission Language & Vocational School; National Federation of Filipino American Associations; Oakland Citizens Committee for Urban Renewal (OCCUR); Phoenix Urban League; San Francisco Black Chamber of Commerce; Search to Involve Filipino-Americans; Southeast Asian Community Center; TELACU; West Angeles Church of God in Christ; and West Coast Black Publishers Association.

Greenlining will represent customer interests that would otherwise be unrepresented or underrepresented before this Commission. Greenlining is unique in that we bring to the table the perspectives, experiences, and interests of minority, low-income, inner city, and other vulnerable and underserved communities.

In general, Greenlining will seek to coordinate with other intervenors to avoid duplication of effort and to assist in the Commission's efforts to protect consumers.

### **III. GREENLINING QUALIFIES AS A CUSTOMER AND IS AUTHORIZED TO REPRESENT THE INTERESTS OF RESIDENTIAL AND SMALL BUSINESS CUSTOMERS BEFORE THIS COMMISSION**

Greenlining's members and constituents are purchasers of telecommunications and energy services from utilities in California, qualifying us to file this NOI as "customers" pursuant to PU Code § 1802(b). Greenlining will represent low-income and minority residential and small business utility customers in this proceeding. In compliance with D. 98-04-059, Conclusion of Law 5 and Finding of Fact 12, Greenlining estimates that it represents a constituency that is divided 75% and 25% between residential customers and small business customers, respectively. These percentages represent Greenlining's best estimates only.

Article II, Section 17 of Greenlining's by-laws authorizes it to represent the "interests of low income communities, minorities, and residential ratepayers" before regulatory agencies and courts. Copies of the by-laws of Greenlining are attached to an NOI filed on March 4, 1999 in A. 98-12-005.

### **IV. GREENLINING SATISFIES THE REQUIREMENTS OF PUBLIC UTILITIES CODE SECTION 1804.**

Greenlining satisfies the requirements of PU Code § 1804(a)(2) to establish eligibility for compensation, as set forth below.

**A. Greenlining's NOI Is Timely Filed**

Pursuant to the Order Instituting Rulemaking to Consider Establishing California Institute for Climate Solutions (R.07-09-008), filed September 20, 2007, a party may file notice of intent to claim intervenor compensation no later than October 30, 2007. This NOI has been filed on October 30 and is therefore timely.

**B. Greenlining's Statement Of The Nature And Extent Of Their Planned Participation**

Greenlining has not yet formulated a full and complete plan regarding the nature and extent of our participation. However, pursuant to PU Code § 1804(a)(2)(A)(i), Greenlining states that we will: (1) review the potential policies implicated by the Rulemaking in general and set out to answer the questions set forth on the Rulemaking (2) ensure that benefits of a California Institute for Climate Solutions are shared with low-income and minority communities to determine whether they are fair, reasonable, and in the public interest; and (3) seek to represent the special interests of low-income, minority, recent immigrant, non-English speaking, and other underserved consumers of energy service.

**C. Itemized Estimate Of Compensation**

Greenlining anticipates proceeding in this matter without the help of outside counsel. Pursuant to PU Code § 1804(a)(2)(A)(ii), Greenlining offers the Commission the following estimate of compensation. In view of the uncertainty inherent in this proceeding's future course, the budget below is only the most rough estimate of the fees, expenses, and time that Greenlining might incur in the prosecution of this case.

<u>Attorney and Advocate Fees for work in 2007<sup>2</sup></u>	
Fees of Robert Gnaizda (40 hours at \$520/hour)	\$ 20,800
Fees of Samuel Kang (75 hours at \$200/hour)	\$ 15,000
Fees of Thalia Gonzalez (20 hours at \$230/hour)	\$ 4,600
Fees of Chris Vaeth (10 hours at \$180/hour)	\$ 1,800
Fees of Administrative Office Assistant <sup>3</sup> (5 hours at \$125/hour)	\$ 625
<u>Sub-Total</u>	<u>\$ 42,825</u>

<u>Other Costs</u>	
Postage, photocopies, deliveries, supplies and telephone	\$ 1,000
Travel	\$ 250
<u>Sub Total</u>	<u>\$ 1,250</u>

<u>Expert Fees</u>	
Fees of John C. Gamboa (10 hours at \$425/hour)	\$ 4,250
Fees of Michael Phillips (25 hours at \$380/hour)	\$ 9,500
<u>Sub Total</u>	<u>\$ 13,750</u>

<u>Total<sup>4</sup></u>	<u>\$ 56,575</u>
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**D. Participation in this proceeding would pose a significant financial hardship.**

In accordance with PU Code § 1804(a)(2)(B), Greenlining notes that the requisite finding of financial hardship was made within the last year on the May 24, 2007 Decision (D.07-05-050) in the Opinion Granting Intervenor Compensation to the Utility Reform Network and the Greenlining Institute for Their Substantial Contributions to Decision 06-08-030.<sup>5</sup> Accordingly, Greenlining has made the requisite showing of significant hardship. If the Commission deems it

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<sup>2</sup> Greenlining considers these rates to be below market rates, given the many years of experience these attorneys have in the areas of regulated industries and consumer protection. Also these rates are far below what utilities' outside counsel, legal staff, and experts are paid in Commission cases. Greenlining may seek to secure information on these rates during the proceeding and, based on the information that it discovers, may provide notice that it seeks an enhancement of its own rates.

<sup>3</sup> Currently, Greenlining has employed a temporary worker in this position and is seeking a fulltime employee to be named later.

<sup>4</sup> Far more may be requested should hearings be set.

<sup>5</sup> R.05-04-005

necessary, Greenlining will make a further showing of hardship at the time of filing its request for compensation.

**V. CONCLUSION: GREENLINING IS ELIGIBLE FOR INTERVENOR COMPENSATION**

Greenlining has met the requirements of PU Code § 1804(a) and other applicable Commission rules. Greenlining is therefore eligible for compensation in this proceeding.

Dated: October 30, 2007

Respectfully submitted,

/s/ Robert Gnaizda  
Robert Gnaizda  
The Greenlining Institute

/s/ Samuel S. Kang  
Samuel S. Kang  
The Greenlining Institute

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**VERIFICATION**

I, Samuel Kang, am a representative of the Greenlining Institute and am authorized to make this verification on the organization's behalf. The statements in the forgoing document are true to the best of my knowledge, except for those matters that are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury that the forgoing is true and correct.

Executed this 31<sup>st</sup> day of October, 2007, at San Francisco, CA.

/s/ Samuel Kang

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Samuel Kang  
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**CERTIFICATE OF SERVICE**

I, Jacqueline Palms, am 18 years of age or older and a non-party to the within proceeding.  
I am a resident and citizen of the State of California with a business address at the Greenlining  
Institute, 1918 University Avenue, Second Floor, Berkeley, CA 94704 and telephone number  
510-926-4001.

On October 30, 2007 I caused the following document:

**NOTICE OF INTENT TO CLAIM COMPENSATION OF  
THE GREENLINING INSTITUTE**

to be served upon all interested parties of record in R. 07-09-008 named in the official  
service list via e-mail to those whose e-mail address is listed in the official service list and via  
first class mail to those whose e-mail address is not available.

I certify that the foregoing is true and correct.

Executed in Berkeley, California October 30, 2007.

/s/ Jacqueline Palms

\_\_\_\_\_  
Jacqueline Palms



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